



May 12, 2015

To: House Criminal Justice Committee

Re: House Joint Resolution N

The Libertarian Party of Michigan strongly supports the proposed amendment to the state constitution "to require the government to obtain a search warrant in order to access a person's electronic data or communication". The secret use of cell site simulators or "Stingrays" by state and local police agencies for the wholesale gathering of electronic data without judicial oversight has become widespread and is indefensible. This additional language makes it clear that modern means of communication should be as protected and secure as any other personal property.

A sincere thank you is extended to the many legislators who introduced and sponsored this resolution. It will allow the people of state of Michigan to reaffirm the constitutional rights established in the Fourth Amendment* of the US Constitution, and reiterated in the Michigan Constitution, to be free from unreasonable search and seizure. This is a fundamental right which has been severely eroded by the so-called Patriot Act enacted by Congress.

The importance of this action cannot be overstated as it affirms the right of states to abrogate unconstitutional actions of the federal government. As a construct of the states, the federal government cannot and should not exceed its authority without the consent of the governed.

Last year a similar measure was passed in Missouri with the approval of seventy-five percent of voters. That result demonstrates the overwhelming popular support for this resolution. The Libertarian Party of Michigan urges this committee to unanimously endorse this Joint Resolution and bring it before the House for approval to place it on the November ballot.

Thank you for your consideration.

For Liberty,

Will Tyler White

LPM Legislative Committee Chair

*Fourth Amendment to the US Constitution: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized".